

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  SEARSBORO TELEPHONE COMPANY, INC., AND KILLDUFF TELEPHONE COMPANY	DOCKET NOS. SPU-03-6 TF-03-132
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**ORDER EXTENDING TIME FOR DETERMINATION**

(Issued July 24, 2003)

On April 29, 2003, Searsboro Telephone Company, Inc. (Searsboro Telephone), and Killduff Telephone Company (Killduff Telephone) filed with the Utilities Board (Board) a joint application for approval of discontinuance of service and a partial transfer of certificate, pursuant to Iowa Code § 476.20(1) (2003). The filing was identified as Docket No. SPU-03-6.

Searsboro Telephone is a non-rate regulated independent telephone company that provides local exchange service to the Killduff and Searsboro, Iowa, exchanges pursuant to its certificate of public convenience and necessity, Certificate No. 0116. Currently, the Searsboro exchange has approximately 210 access lines; the Killduff exchange has approximately 190 access lines. Killduff Telephone is a recently formed Iowa corporation that intends to provide local exchange and exchange access services to the Killduff exchange. Killduff Telephone has not previously been certified to provide service in any state. Because Killduff Telephone is a newly-

formed company, the Board must review the joint request pursuant to the requirements of Iowa Code § 476.29, regarding the certification of new carriers.

On May 28, 2003, the Board issued an order docketing the joint request for further investigation. In that order, the Board directed the parties to submit additional information on or before June 30, 2003.

On June 26, 2003, the parties filed additional information with the Board pursuant to the May 28, 2003, order. On July 1, 2003, the parties filed a copy of a notice of the proposed discontinuance of service and partial transfer of Searsboro's certificate which was sent to all incumbent local exchange carriers (ILECs) and competitive local exchange carriers (CLECs) on the Board's mailing list. Because this situation involves the certification of Killduff Telephone as a new company, notice must also be sent to all interexchange carriers (IXCs), in addition to the ILECs and CLECs, pursuant to 199 IAC 22.14(4).

Iowa Code § 476.29(2) provides:

The board shall make a determination within ninety days of the submission by the applicant of evidence of its technical, financial, and managerial ability, unless the board determines that additional time is necessary to consider the application, in which case the board may extend the time for making a determination for an additional sixty days.

The Board finds that additional time is necessary to consider the parties' application and thereby extends the time for determining whether to grant Killduff Telephone a certificate of public convenience and necessity by 60 days. The Board also requests that the parties issue a notice of the application to all IXCs pursuant to

199 IAC 22.14(6), and file a copy of the notice with the Board on or before August 11, 2003. This will allow the Board sufficient time to receive and review any objections to the application by the IXC's before making a final determination regarding the parties' joint request.

**IT IS THEREFORE ORDERED:**

1. The Board extends the time to make a determination regarding the joint application for approval of discontinuance of service and a partial transfer of certificate filed by Searsboro Telephone Company, Inc., and Killduff Telephone Company on April 29, 2003, an additional 60 days pursuant to Iowa Code § 476.29(2), as described in the body of this order.

2. Searsboro Telephone Company, Inc., and Killduff Telephone Company shall send a notice of the joint application to all IXC's pursuant to 199 IAC 22.14(4), on or before August 11, 2003.

**UTILITIES BOARD**

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/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 24<sup>th</sup> day of July, 2003.